

PROFESSIONAL SERVICE CONTRACT TRANSMITTAL RECORD

Insurance Requirement

ACCOUNTS PAYABLE WILL HOLD UP ALL CONTRACT PAYMENTS UNTIL ALL INSURANCE CERTIFICATES/POLICIES REQUIRED UNDER THE CONTRACT HAVE BEEN RECEIVED. CONTRACTORS SHOULD BE MADE AWARE OF THIS REQUIREMENT.

CONTRACT PO NUMBER 2832588
STANDARD PO NUMBER
CHANGE ORDER 5
REVISION

TYPE OF CONTRACT: (Check One)

☐ CONSTRUCTION/DEMOLITION LEASE ☐ DEED
☒ PROFESSIONAL SERVICES

DEPARTMENT HEAD'S SIGNATURE

DEPARTMENT
FINANCE

FUNDING SOURCE (Percent)

FEDERAL % STATE % CITY % OTHER %

DEPARTMENT CONTACT PERSON
JOHN NAGLICK, JR.

PHONE NO.
313-224-3491

CONTRACTOR'S NAME: DETROIT BUILDING AUTHORITY

DATE PREPARED

CONTRACTOR'S ADDRESS:

1301 THIRD STREET, SUITE 328
DETROIT, MI 48226

ENGINEER'S ESTIMATE ☐ CONTRACT ☐ CHANGE ☒

TOTAL CONTRACT AMOUNT \$2,270,000.00 ~~63,500,000.00~~

TOTAL CPO AMOUNT \$65,770,000.00

CHANGE AMOUNT \$2,270,000.00

PHONE NO. 313-224-0174

CORPORATION ☒ PARTNERSHIP ☐ INDIVIDUAL

FEDERAL EMPLOYER/SOCIAL SECURITY NUMBER:

MINORITY FIRM ☐ YES ☐ NO

PURPOSE OF CONTRACT: DETROIT PUBLIC SAFETY HEADQUARTERS - CONTRACT AMENDMENT NO. 5

CHARGE ACCOUNT: 1000 - 350310 - 000146 - 628500 - 00277-000000 - A5510

TIME & DATE IN

APPROVER MUST ALSO MAKE APPROPRIATE NOTES IN ORACLE PURCHASE ORDER

TIME & DATE IN

REQUESTING DEPARTMENT

OCT 16 2014

AUTHORIZED DEPARTMENT REPRESENTATIVE

10/16/14

BUDGET

☒ RECOMMEND APPROVAL
☐ RECOMMEND DENIAL

OCT 16 2014

BUDGET DIRECTOR OR DEPUTY

NOV 05 2014

GRANT MANAGEMENT SECTION

☐ RECOMMEND APPROVAL
☐ RECOMMEND DENIAL

GRANT ACCOUNTANT

OCT 16 2014

FINANCE DEPARTMENT

☒ RECOMMEND APPROVAL
☐ RECOMMEND DENIAL

FINANCE DIRECTOR OR DEPUTY

14 NOV 21 PM 1:08
CITY OF DETROIT
FINANCE DEPARTMENT
PURCHASING DIVISION

10/16/14

LAW DEPARTMENT

☒ RECOMMEND APPROVAL
☐ RECOMMEND DENIAL

CORPORATION COUNSEL

11/21/14

PURCHASING DIVISION

PURCHASING DIRECTOR

1/15/15

CITY COUNCIL APPROVAL JCC REFERENCE: PAGE DATE

**FIFTH AMENDMENT TO
CONTRACT OF LEASE**

THIS FIFTH AMENDMENT (the "Amendment"), dated this 15th day of MAY, 2014 between the **City of Detroit Building Authority** (the "Authority") and the City of Detroit, a Michigan municipal corporation, acting by and through its **Finance Department** (the "City"), amending the Contract of Lease between the Authority and the City, dated September 23, 2010, as amended (the "Contract").

WITNESSETH:

WHEREAS, the Authority and the City did heretofore enter into the Contract to engage the assistance of the Authority with the renovation of the former MGM Temporary Casino Complex located at 1300 John C. Lodge, 811 Abbott Street and 1351 Third Avenue in the City of Detroit to serve as the Detroit Public Safety Headquarters (the "Project"); and

WHEREAS, Article XVI of the Contract affords the parties the right to amend the Contract; and

WHEREAS, the Contract was previously amended on April 19, 2012, on August 16, 2012, August 20, 2013, September 19, 2013; and

WHEREAS, the Project was converted by the Authority into a condominium, the Detroit Public Safety Headquarters Condominium, two units of which were sold on April 9, 2013 to the State of Michigan (the "State Units"), in accordance with authority granted by the Contract; and

WHEREAS, the net proceeds due to the City from the sale of the State Units to the State of Michigan equals approximately Three Million Seven Hundred Sixty Five Thousand Two Hundred and Thirteen and 80/100 (\$3,765,213.80) Dollars; and

WHEREAS, the City desires to authorize the Authority to expend an amount not to exceed Two Million Two Hundred Seventy Thousand and 00/100 (\$2,270,000.00) Dollars of the net proceeds for capital improvements to the Project; and

WHEREAS, the City now desires to engage the Authority to continue to oversee the management of the Project and to further expand the scope of the Project, as described in Exhibit A-1 attached hereto and by this reference made a part hereof.

NOW, THEREFORE, in consideration of the premises, the mutual undertakings and benefits to accrue to the parties and to the public, the parties hereto agree that the Contract is amended in the following manner:

1. That Article IX of the Contract is hereby amended to increase the rent by an additional Two Million Two Hundred Seventy Thousand and 00/100 (\$2,270,000.00) Dollars, thereby increasing the total rent to an amount not to exceed Sixty Three Million Seven Hundred Seventy Thousand and 00/100 (\$65,770,000.00) Dollars.

2. That Article III of the Contract is hereby amended to extend the term of the Contract from June 30, 2014 to January 31, 2015.


3. That Exhibit A to the Contract be expanded to add the scope of services identified in Exhibit A-1 hereto.

4. That all other terms, conditions and covenants of the Contract shall remain in full force and effect as set forth therein, subject to paragraph 5 below.

5. That any conflict between the provisions of the Contract and this Amendment shall be resolved in a manner consistent with this Amendment for the purpose of enacting the amending provisions stated herein.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be signed by and through their respective duly authorized officers and representatives, on the day and year first above written.

CITY OF DETROIT BUILDING AUTHORITY, a
public authority and body corporate


By: 
Isaiah McKinnon

Its: Acting Chairman

By: 
Saul A. Green

Its: Secretary

CITY OF DETROIT

By: 

Its: Finance Director

APPROVED AS TO FORM:

Lewis Mundy, P.C.
General Counsel, City of
Detroit Building Authority

APPROVED AS TO FORM:

[Signature]
Corporation Counsel for
the City of Detroit

Finance Department

No. _____ Date _____

I hereby certify that an
appropriation has been
made to cover the
expense to be incurred
under this Contract.

[Signature] 1/28/15
Chief Procurement Officer

This Contract of Lease was
approved by City Council:


On: JAN 13 2015
Date

FRC JAN 26 2015

CERTIFICATE OF PUBLIC AUTHORITY

I, Saul A. Green, certify that I am the legal officer of the City of Detroit Building Authority, that the right of the Authority to enter the foregoing contract is derived from Michigan Public Law Act No. 31, Public Acts of Michigan, 1948 (First Extra Session), as amended; that this Contract was duly authorized under the provisions of said law, and that I, Saul A. Green, and Isaiah McKinnon, who executed this Contract on behalf of said Authority, had authority to enter the foregoing Contract with the CITY OF DETROIT.

Signature: _____



Date: _____

EXHIBIT A-5

Since building occupancy, in June of 2013, there have been some noticeable adaptive reuse items that are not performing as initially envisioned. A good example is the existing Roof Top Unit #4 that provides cooling for the building. This Unit is not performing as designed and must be replaced. Also, substantial investment must be made into the South Parking Deck including retrofitting over 1,000 lights and doing garage structural restoration work. Some of the additional capital improvements required are:

- RTU Unit #4 Replacement
- BAS Front End & Upgrades
- Campus Wide Sidewalk Repairs
- Elevator Upgrades
- South Deck Lighting Replacement
- 2nd Floor Heat
- Exterior Piping Heat Tracing & Insulation
- South Deck UPS
- South Deck Drywall Repair
- South Deck Garage Restoration

Funding for this contract is allocated as follows:

Agency	Accounting String	% Allocation	Allocated Cost
Detroit Building Authority	100 -350310-000146-626400-00277-000000-A5510	1.738%	\$34,760
Fire	1000-240010-000087-626400-00064-000000-A1040	22.356%	\$447,120
ITS	1000-310020-000134-626400-00024-000000-A5510	4.475%	\$89,500
Police	1000-370677-000165-626400-00119-000000-A1081	71.431%	\$1,428,620
<u>Total</u>			<u>\$2,000,000</u>

CONTRACT # 2832588 Amendment #5

DEPARTMENT FINANCE

[] **WAIVER**

AGENDA DATE: _____

CONTRACT SYNOPSIS

CONTRACTOR NAME: DETROIT BUILDING AUTHORITY
CONTRACTOR
ADDRESS: 1301 THIRD STREET SUITE 328
DETROIT, MI 48226

PROJECT: Detroit Public Safety Headquarters

TYPE OF FUNDING
AND %: 100% City

CONTRACT AMOUNT: \$2,270,000.00 (Increase From \$63,500,000.00 to \$63,770,000.00)

CONTRACT PERIOD: Ending June 30, 2015

ADVANCE PAYMENT: N/A

BRIEF DESCRIPTION: Detroit Public Safety Headquarters Amendment #5 to pay the
Detroit Building Authority from proceeds of the sale of two condominium units
to the State of Michigan at the Detroit Public Safety Headquarters.

REASON FOR DELAY: N/A

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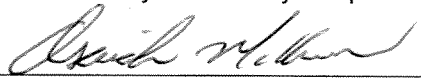
3. That Exhibit A to the Contract be expanded to add the scope of services identified in Exhibit A-1 hereto.

4. That all other terms, conditions and covenants of the Contract shall remain in full force and effect as set forth therein, subject to paragraph 5 below.

5. That any conflict between the provisions of the Contract and this Amendment shall be resolved in a manner consistent with this Amendment for the purpose of enacting the amending provisions stated herein.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be signed by and through their respective duly authorized officers and representatives, on the day and year first above written.

CITY OF DETROIT BUILDING AUTHORITY, a
public authority and body corporate

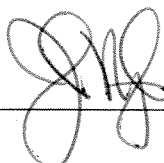
By: 
Isaiah McKinnon

Its: Acting Chairman

By: 
Saul A. Green

Its: Secretary

CITY OF DETROIT

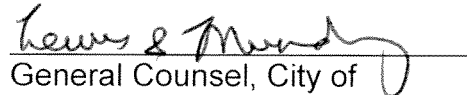
By: 

Its: Finance Director

APPROVED AS TO FORM:

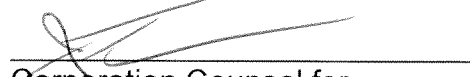
Finance Department

No. _____ Date _____


General Counsel, City of
Detroit Building Authority

I hereby certify that an
appropriation has been
made to cover the
expense to be incurred
under this Contract.

APPROVED AS TO FORM:


Corporation Counsel for
the City of Detroit


Chief Procurement Officer

This Contract of Lease was
approved by City Council:

On: JAN 13 2015
Date

 FRC / JAN 26 2015

CERTIFICATE OF PUBLIC AUTHORITY

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Signature: 

Date: _____

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